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February 10, 2004

**ATTORNEY DOCKET NO.: MEDIV2010-5**

Parent Application No.: 09/868,411

Parent Filing Date: June 14, 2001

Parent Inventors: Ran Kornowski, Shmuel Fuchs, Stephen E. Epstein and Martin B. Leon

**Mail Stop PATENT APPLICATION**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Presented for filing is a new **Divisional** patent application of:**APPLICANTS : Ran Kornowski, Shmuel Fuchs, Stephen E. Epstein and Martin B. Leon****TITLE : INTRAMYOCARDIAL INJECTION OF AUTOLOGOUS BONE MARROW**

Enclosed are the following papers, including all those required for a filing date under 37 C.F.R. § 1.53(b):

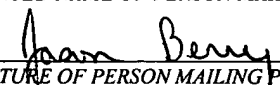
Pages of Cover Sheet	1
Pages of Specification	30
Pages of Claims	11
Pages of Abstract	1
Pages of Declaration (from Parent)	4
Sheets of Drawing	2

"EXPRESS MAIL" Mailing Label Number: **EV 318 740 425 US**Date of Deposit: **February 10, 2004**

I hereby certify under 37 CFR. § 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to the Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**JASON BERRY**

(TYPED OR PRINTED NAME OF PERSON MAILING PAPER)

  
(SIGNATURE OF PERSON MAILING PAPER OR FEE)

SILICON VALLEY SAN DIEGO SAN FRANCISCO AUSTIN SEATTLE SACRAMENTO LA JOLLA WASHINGTON, DC

**GRAY CARY WARE & FREIDENRICH LLP**

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This request includes Three (3) sheets and the following:

- Preliminary Amendment (8 pages);
- Information Disclosure Statement (2 pages);  
Forms PTO-1449 (filed in parent application) (4 pages);
- Check No. 553524 in the amount of \$514.00; and
- Return Receipt Postcard.

Under 35 USC § 121, this application is a **divisional** application of U.S. Application Serial No. 09/868,411 filed June 14, 2001, now pending; which is a 35 USC § 371 National Stage application of PCT Application No. US00/08353 filed March 30, 2000; which claims the benefit under 35 USC § 119(e) to U.S. Application Serial No. 60/138,379 filed June 9, 1999, now abandoned and U.S. Application Serial No. 60/126,800 filed March 30, 1999, now abandoned. The disclosure of each of the prior applications is considered part of and is incorporated by reference in the disclosure of this application.

Applicants claim **SMALL ENTITY** status in the above-identified application. Pursuant to 37 CFR. § 1.27, a verified statement claiming small entity status is not required.

The filing fee is calculated as follows:

	Number Filed		Number Extra		Rate			Fee	
					Small Entity	Large Entity		Small Entity	Large Entity
Total Claims	17-20	=	0	X	\$09	\$18	=	\$ .00	\$ .00--
Independent Claims	6-3	=	3	X	\$43	\$86	=	\$ 129.00	\$ .00
Multiple Dependent Claims Presented: ___ Yes <u>X</u> No					\$145	\$290		\$ ---	\$ ---
					BASIC FEE			\$ 385.00	\$ 770.00
					TOTAL FEE			\$ 514.00	

Enclosed is Check No. 553524 in the total amount of \$514.00; which consists of \$385.00 for the filing fee and \$129.00 for the fee for Three (3) independent claims in excess of 3 independent claims. The Commissioner is hereby authorized to charge any additional fees associated with the filing submitted herewith, or credit any overpayment, to Deposit Account 50-1355, referencing the Attorney Docket number shown above.

**GRAY CARY WARE & FREIDENRICH LLP**

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If this application is found to be INCOMPLETE, or if it appears that a telephone conference would helpfully advance prosecution, please telephone the undersigned at (858) 677-1456.

Please send all correspondence to:

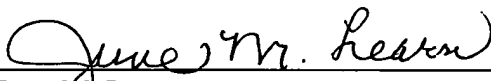
June M. Learn  
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A duplicate copy of this transmittal letter is attached. Kindly acknowledge receipt of this application by returning the enclosed postcard.

Respectfully submitted,

**GRAY CARY WARE & FREIDENRICH LLP**

February 10, 2004  
Date

  
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June M. Learn  
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**USPTO CUSTOMER NUMBER 28213**

JML:ag  
Enclosures